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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BEAR RIVER BAND OF THE
ROHNERVILLE RANCHERIA, a federally
recognized Indian Tribe,

16 Plaintiff,
17 v.
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19 STATE OF CALIFORNIA, and GAVIN
20 NEWSOM IN HIS OFFICIAL CAPACITY
AS GOVERNOR OF CALIFORNIA,

21 Defendants.

Case No.: 1:20-cv-01539-AWI- SKO

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**STIPULATION AND ORDER
REGARDING MODIFICATION TO
SCHEDULING ORDER**

(Doc. 43)

Action Filed: August 12, 2020

Pursuant to the United States District Court, Eastern District of California Local Rules, Rule 143, Plaintiff Bear River Band of the Rohnerville Rancheria and Defendants Gavin Newsom in his official capacity as Governor of the State of California and State of California (collectively, the Parties), by and through their attorneys of record, stipulate and agree as follows:

1 Whereas, the Court issued a scheduling order in this case on January 20, 2021, and the
2 scheduling order provided a briefing schedule for the Parties to file their respective motions for
3 summary judgment;

4 Whereas, the Court's January 20, 2021 scheduling order required the Parties to meet to
5 explore the possibility of settlement before incurring the expense of filing their summary
6 judgment motions;

7 Whereas, the Parties, through their attorneys, discussed settlement possibilities, and have
8 tentatively scheduled a virtual settlement conference among tribal leaders, the Governor's Tribal
9 Negotiations Advisor, and their attorneys;

10 Whereas, these settlement discussions are taking time away from the attorneys'
11 preparations of their respective motions for summary judgment, and such motions will become
12 unnecessary to file if the Parties settle this matter; and

13 Whereas, this is the first request by the Parties to modify the Court's January 20, 2021
14 scheduling order;

15 **IT IS HEREBY STIPULATED** by the Parties that the filing dates for their respective
16 motions for summary judgment in the Court's January 20, 2021 scheduling order shall be
17 extended by fourteen days. Pursuant to this stipulation, the filing date for the Parties' summary
18 judgment motions is extended from April 30, 2021, to May 14, 2021. The filing date for the
19 Parties' oppositions to the summary judgment motions is extended from May 28, 2021, to June
20 11, 2021. The filing date for any replies in support of the summary judgment motions is extended
21 from June 11, 2021, to June 25, 2021. The time for summary judgments to be heard before the
22 Court is extended from June 28, 2021 to July 12, 2021.

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1 Dated: April 9, 2021

Respectfully submitted,

2 MATTHEW RODRIQUEZ
3 Acting Attorney General of California
4 SARA J. DRAKE
5 Senior Assistant Attorney General
6 WILLIAM P. TORNGREN
7 Supervising Deputy Attorney General
8 COLIN WOOD
9 Deputy Attorney General

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11 /s/ TIMOTHY M. MUSCAT

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TIMOTHY M. MUSCAT
Deputy Attorney General
Attorneys for Defendants

Dated: April 9, 2021

Respectfully submitted,

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11 /s/ GEORGE FORMAN (as
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authorized on 4/9/21)

GEORGE FORMAN
FORMAN & ASSOCIATES
Attorneys for Plaintiff

ORDER

Pursuant to the Parties' above stipulation (Doc. 43), and for good cause shown, the Court GRANTS the Parties' request to modify the Scheduling Order (Doc. 34) and hereby ORDERS as follows:

1. The filing date for the Parties' summary judgment motions is extended from April 30, 2021, to May 14, 2021.
2. The filing date for the Parties' oppositions to the summary judgment motions is extended from May 28, 2021, to June 11, 2021.
3. The filing date for any replies in support of the summary judgment motions is extended from June 11, 2021, to June 25, 2021.
4. The time for summary judgments to be heard before the Court is extended from June 28, 2021 to July 12, 2021.

IT IS SO ORDERED.

Dated: April 12, 2021

[s] Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE